REMARKS

Claims 11-20 are pending in the present application and all these claims stand finally rejected. The Applicant respectfully requests reconsideration of the rejections in light of the following comments.

Claims 11-13, 19, and 20 were again rejected under 35 U.S.C. §102(e) as being anticipated by *Mehrotra* (U.S. Patent No. 6,115,717). The Applicant respectfully traverses this rejection for the following reasons.

With respect to claim 11, the Office Action once again asserts that *Mehrotra*, among other things, discloses the claimed feature of "storing said features together with said image sequence wherein separate search features sets are provided for each individual object." However, as recognized in the present Office Action, column 3, lines 24-26 of *Mehrotra* teach that open space contained in the image is stored as metadata. Open space, however, is clearly recognized by those of ordinary skill in the art as being different than an "individual object" as featured in the present claim. With respect to the claimed feature sets of individual objects, as argued above, open space metadata of images is different from this claimed feature. In particular, the detection and describing of open spaces is less complex and different from detecting and describing individual objects. Open space is characterized where the color of image pixels in a relatively large area does not change significantly (e.g., RGB values are very similar). The detection of these open spaces as taught by *Mehrotra* is merely the detection of a border adjacent to an open space, which is quite different from detecting individual objects. Individual objects, for example, can be things such as humans, animals, cars, houses, etc. and are much more difficult to detect and describe versus open spaces.

In response to the above arguments, the present Office Action, however, alleges that "individual object" "is not defined in the claim as being anything in particular, and therefore is left open to interpretation by the examiner." This allegation is simply incorrect and runs afoul of proper examination procedures that should have been carried out by the PTO. Examiners are not simply free to disregard all knowledge commonly know in the art and be an authority unto themselves when interpreting claims. Rather, claims must be given their broadest reasonable interpretation consistent with the specification. Additionally, the broadest reason interpretation of the claims must be consistent with the interpretation that those skilled in the art would reach.

(See MPEP §2111). The interpretation in the present Office Action of "individual object" including "open space" does not comport with these requirements and is, in fact, unreasonable and inconsistent with the specification and interpretation that those skilled in the art would reach. Specifically, the specification refers to coding of individual objects that are possible using MPEG or ITU standards (See pg. 5, second paragraph of the present specification). Video individual objects can be easily distinguished from the background of a picture. "Open space," as part of a picture, is not distinguishable from the background since it usually defines the background. Those skilled in the art would, having this information, know to interpret the term "individual objects" consistent with its meaning as used in the art (e.g., the MPEG standard) and that interpretation would certainly not include "open space." Accordingly, the interpretation set forth in the Office Action is untenable because it is not reasonable and, thus, improper.

Additionally, the claimed "feature sets" for individual objects are not equivalent to metadata as disclosed by *Mehrotra*, as proffered once again in the present Office Action. *Mehrotra* specifically teaches in column 5, lines 8-9 that the open space metadata includes quantified open space region depictive properties. Thus, the metadata merely defines region properties, not specific data characterizing and distinguishing certain objects. As further disclosed in column 5, lines 10-17 of *Mehrotra*, detected open space is preferably quantified by a set of four depictive properties: open space extent, open space openness, and two color properties. This is not tantamount to the claimed "feature sets"... for each individual object." To further clarify this distinction, an example of the use of feature sets is the enablement to search a particular individual object such as a dog that appears in a movie, in order to find films with dogs. In contrast, the teaching of *Mehrotra* does not disclose or suggest enabling searching of kinds of objects. Rather, the teachings of *Mehrotra* are merely concerned with searching open space in order to find a space for inserting objects such as text, captions, or figurative elements (see column 1, line 23). Thus, *Mehrotra* does not teach or suggest feature sets for individual objects for the ability to search kinds of objects using such feature sets.

In response to the above arguments, which were presented in Applicant's last response, the present Office Action alleges that the described "feature sets" of *Mehrotra*, because they include a set with more than one property, are broadly equivalent to the claimed "metadata." This interpretation is also not reasonable and, thus, improper. Merely because the "feature sets"

may contain more than one property, they still only contain properties of a single type. In contrast, the claimed "metadata" is inclusive of different types of objects and different properties of those types. Thus, following proper examination procedure, the "feature sets" of the prior art are not reasonably equivalent to "metadata."

According to the above arguments, the Applicant respectfully submits that *Mehrotra* does not teach or suggest all of the elements of claim 11 and requests that the rejection be withdrawn.

With respect to dependent claims 12, 13, 19, and 20, these claims are believed to be allowable on their merits at least for the reasons presented above with respect to claim 11.

Claims 14-18 were rejected under 35 U.S.C. §103(a) as being unpatenable over *Mehrotra* in view of *Swanson et al.* (U.S. Patent No. 5,987,459). The Applicants respectfully traverses this rejection, submitting that these claims are allowable on their merits and at least for the same reasons presented above with respect to independent claim 11.

In light of the foregoing comments, the Applicant respectfully submits that the pending claims are allowable over the prior art of record and requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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